

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*In the Matter of Search Warrants Executed on
April 9, 2018*

MICHAEL D. COHEN,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

18-MJ-3161 (KMW)

**AFFIDAVIT OF MICHAEL J.
AVENATTI IN SUPPORT OF
MOTION FOR ADMISSION *PRO
HAC VICE***

Michael J. Avenatti, being duly sworn, hereby deposes and says as follows:

1. I am the managing partner of Avenatti & Associates, APC.

2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.

3. I am the recipient of the 2009 Trial Lawyer of the Year award from the Orange County Trial Lawyers Association. I undertook undergraduate studies at the University of Pennsylvania and I graduated at the top of my class from George Washington University Law School, where I presently serve as a member of the Board of Advisors. In 2007, I was named as one of the "Top 20 Lawyers in California Under 40" by *The Daily Journal*. I have tried cases in courts throughout the United States and have served as lead counsel in cases resulting in verdicts and settlements totaling over \$1 Billion since I began my career as an attorney. Included among

these cases is a \$454 Million jury verdict in the United States District Court for the Central District of California (April 2017), which was the largest jury verdict in the State of California and the third largest in the nation during the year 2017. Also included among the cases are the following:

- a. Eden Memorial Park Class Action – reached a successful settlement valued at \$80.5 million in 2014 in the middle of the trial against global deathcare company Service Corporation International in a class action lawsuit alleging that Eden Memorial Park, one of the largest Jewish cemeteries in the United States, routinely engaged in misconduct over many years relating to the care and maintenance of graves and human remains that was not disclosed to purchasers.
- b. Cast Art Industries v. KPMG, LLP – secured a \$31.8 jury verdict in the case (\$40 million with interest and costs), which was reported to be one of the largest in the country in 2008.
- c. Targus Group International, Inc. v. KPMG –reached a successful settlement of an accounting malpractice action on behalf of the plaintiff for an amount reported by the Wall Street Journal as \$22.5 million.
- d. Undisclosed Name – served as lead counsel in connection with a malicious prosecution lawsuit against a company listed on the New York Stock Exchange that settled for \$39 million, an amount believed to be the largest settlement of its kind in U.S. history.
- e. Moss Adams Litigation – Successfully represented over 600 individual investors (through a bankruptcy trustee) who were defrauded through a massive Ponzi scheme (the largest in the history of the Northwest) in which Moss Adams, acting as independent outside auditor, audited some of the offending funds.

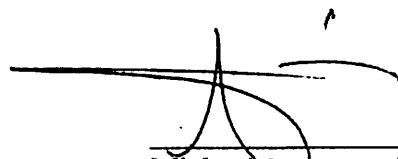
4. As shown in the Certificates of Good Standing annexed hereto I am a member in good standing of the Bar of the State of California.

5. There are no pending disciplinary proceedings against me in any State or Federal Court.

6. I have not been convicted of a felony.

7. I have not been censured, suspended, disbarred or denied admission or readmission by any court.

8. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case for Intervenor Stephanie Clifford a.k.a. Stormy Daniels.



Dated: May 13, 2018

Michael J. Avenatti
AVENATTI & ASSOCIATES, APC
520 Newport Center Drive, Suite 1400
Newport Beach, CA 92660
Tel: (949) 706-7000
Fax: (949) 706-7050
E-Mail: mavenatti@eoalaw.com

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of OrangeOn May 13, 2018 before me,

Date

personally appeared

Hillary C. Wolett, Notary Public
Hillary C. Wolett, Notary Public
Michael J. Avendath

Here Insert Name and Title of the Officer

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Hillary Wolett*

Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: admission pro hac vice Document Date: 5/13/18
 Number of Pages: 3 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer Is Representing: _____



Supreme Court of California

JORGE E. NAVARRETE

Clerk and Executive Officer of the Supreme Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF CALIFORNIA

MICHAEL JOHN AVENATTI

I, JORGE E. NAVARRETE, Clerk and Executive Officer of the Supreme Court of the State of California, do hereby certify that MICHAEL JOHN AVENATTI, #206929, was on the **1st day of June, 2000**, duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.

*Witness my hand and the seal of the court
on the 15th day of May, 2018.*

JORGE E. NAVARRETE

Clerk and Executive Officer of the Supreme Court

By: _____
C. Rivera, Assistant Deputy Clerk



THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

April 26, 2018

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MICHAEL JOHN AVENATTI, #206929 was admitted to the practice of law in this state by the Supreme Court of California on June 1, 2000; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A blue ink signature of the name "Denise Velasco".

Denise Velasco
Custodian of Membership Records

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, KIRY K. GRAY, Clerk of this Court, certify that

Michael J. Avenatti _____, Bar No. 206929

was duly admitted to practice in this Court on July 30, 2002
DATE

and is in good standing as a member of the Bar of this Court.

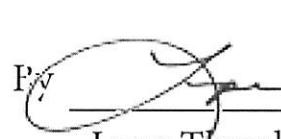
Dated at Los Angeles, California

on April 25, 2018

Date

KIRY K. GRAY
Clerk of Court



 
Lupe Thrasher, Deputy Clerk